
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The procurement task force was established
2 pursuant to Senate Concurrent Resolution No. 92, S.D. 2 (2013),
3 to study the cost impacts that the procurement process has had
4 for public works construction projects as well as the existing
5 bid preferences in relation to promoting economy, efficiency,
6 effectiveness, and impartiality in state and county procurement.
7 The expertise of such a task force is needed to study the issue
8 of past performance to better understand how that information
9 should be used in the procurement process. The purpose of this
10 Act is to work toward increasing transparency and accountability
11 in public contracts by establishing a task force to examine the
12 issue of past performance.

13 SECTION 2. (a) The department of accounting and general
14 services shall convene a procurement task force to examine the
15 cost impacts that the procurement process has had for public
16 works construction projects, and specifically to examine and
17 recommend past performance standards and statewide processes in



1 order to promote economy, efficiency, effectiveness, and
2 impartiality in procurement for state and county governments.

3 (b) The comptroller or the comptroller's designee shall
4 serve as the chair of the task force, and the comptroller shall
5 solicit the following representatives and representatives from
6 the following entities to serve on the task force; provided that
7 those persons designated shall be knowledgeable of procurement
8 procedures and issues within their respective organizations:

- 9 (1) The state procurement office;
10 (2) The University of Hawaii;
11 (3) The department of education;
12 (4) The office of Hawaiian affairs;
13 (5) The department of transportation;
14 (6) A county procurement department;
15 (7) A county board or department of water supply;
16 (8) The semi-autonomous public transit agency of the city
17 and county of Honolulu;
18 (9) The Subcontractors Association of Hawaii;
19 (10) The General Contractors Association of Hawaii;
20 (11) The Hawaii Building and Construction Trades Council;
21 (12) AFL-CIO;



1 (13) The Hawaii Construction Alliance; and

2 (14) Any additional representatives deemed necessary by the
3 comptroller.

4 (c) The task force is requested to identify and propose
5 amendments, if any, to the state procurement code that may
6 better promote economy, efficiency, effectiveness, and
7 impartiality in the procurement of public works construction
8 projects, specifically regarding statewide past performance
9 standards and processes.

10 (d) Task force members shall serve without compensation
11 but shall be reimbursed for all necessary expenses, including
12 travel expenses, which are incurred in the performance of their
13 duties as members of the task force.

14 (e) No member shall be made subject to chapter 84, Hawaii
15 Revised Statutes, solely because of that member's participation
16 as a member of the task force.

17 (f) The task force shall submit a report of its findings
18 and recommendations, including any proposed legislation, to the
19 legislature no later than twenty days prior to the convening of
20 the regular session of 2016.



1 (g) The task force convened pursuant to this Act shall
2 cease to exist on June 30, 2016.

3 SECTION 3. This Act shall take effect on July 1, 2030.



Report Title:

Procurement Code; Past Performance; Task Force

Description:

Establishes a procurement task force to identify and propose amendments, if any, to the procurement code that may better promote economy, efficiency, effectiveness, and impartiality in the procurement of public works construction projects, specifically regarding statewide past performance standards and processes. Takes effect on 7/1/2030. (SD1)

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